

## UNITED STATES DISTRICT COURT

for the

District of Delaware

United States of America

v.

Michael D'Aguiar

Date of Previous Judgment: December 8, 1997

(Use Date of Last Amended Judgment if Applicable)

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Case No: 1:97CR00058-001 (SLR)USM No: 03958-015Edson Bostic

Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

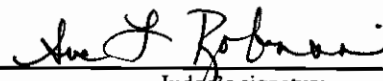
☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 168 months is reduced to Time Served.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)Previous Offense Level: 33Amended Offense Level: 31Criminal History Category: IIICriminal History Category: IIIPrevious Guideline Range: 168 to 210 monthsAmended Guideline Range: 135 to 168 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☒ The reduced sentence is within the amended guideline range.

☐ Other (explain): The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure and the reduced sentence is comparably less than the amended guideline range.

**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated 12/8/1997 shall remain in effect.

**IT IS SO ORDERED.**Order Date: March 3, 2008


Judge's signature

Effective Date: March 3, 2008  
(if different from order date)

Sue L. Robinson, U.S.D.J.

Printed name and title